

REMARKS

Entry of the above amendments is respectfully requested. Originally pending claims 1-16 were subject to a restriction requirement. Applicant chose to elect prosecution of claims 1-8. Claims 9-16 are thus withdrawn without prejudice. Claims 1-8 are thus currently pending in the application. Claim 1 has been amended. New claims 17-19 have been added. Claims 1-8, and 17-19 are now pending in the application. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing amendments and the remarks which follow.

I. Telephone Interview

Applicant appreciates the time and courtesy of the Examiner in conducting a telephone interview with Applicant regarding this patent application. The interview pertained generally to differences between the present invention and prior art references. No specific claims were addressed and, therefore, no agreement was reached regarding patentability.

II. Drawings

The drawings are objected to under 37 CFR 1.83(a) requiring that the drawings show every feature of the invention specified in the claims. Specifically, the Office Action requires that the enamel defined in claim 7 be shown or the feature cancelled from the claims.

Applicant respectfully directs the Examiner's attention to Paragraphs 19 and 21 which describe "a first enamel sheet of paper 30" and a "second enamel sheet of paper 36" respectively. The enamel sheets of paper 30 and 36 are clearly illustrated in Fig. 4. Accordingly, applicant asserts that each claimed feature of claim 7 is both supported by the specification and illustrated in the drawings.

Withdrawal of the objection to the drawings is therefore respectfully requested.

III. Specification

Applicant appreciates the Examiner's careful review of the specification. In response to the objection to the disclosure, Applicant has amended Paragraphs 16-18 and 20-21 to clarify that panel 12 is the center panel as illustrated in the drawings. Withdrawal of the objection to the specification is therefore respectfully requested.

IV. Claim Rejections under 35 USC § 103

A. Claims 1, 2-4, 8

Independent claim 1 and corresponding dependent claims 2-4 and 8 are rejected under 35 USC 103(a) as being unpatentable over Boone in view of Grimsley. The discussion below

is divided into discussions regarding various elements of claim 1 that are not taught or suggested by the cited prior art.

With regard to independent claim 1, Boone is cited as disclosing all claimed elements with the exception of the second hinge having a thickness greater than the first hinge, which is said to be taught by Grimsley. Applicant has amended claim 1 to include limitations pertaining to the hinges that are not taught or suggested by the cited prior art. Applicant will further discuss the cited Wood document with reference to independent claim 1, which was cited in the Office Action against dependent claim 6 for disclosing cuts in sheets to provide hinges for a greeting card.

Boone discloses a greeting card 1 including a central panel 2, and two side panels 3 and 11. Panel 2 houses a capsule 9 disposed in a cup 7 which appears to be covered by member 15. Panel 11 is foldable about central panel 2, and panel 3 is foldable about panel 2 via an unnumbered hinge. As noted in the Office Action, Boone fails to disclose that the unnumbered hinge between panels 2 and 3 has a thickness greater than the thickness of the hinge between panels 2 and 11. Moreover, Boone teaches away from the unnumbered hinge having a greater thickness because the hinge is not intended to loosely retain the outer edge of panel 11. Rather, panel 11 is designed to fold over lip 8 to retain the cup 7 within the card 1. In order to achieve the desired retention, the unnumbered hinge cannot be larger than the opposing hinge or it would be unable to cause panel 3 to apply a retaining force against panel 11 that is imparted onto the rear surface of lip 8 to retain the cup 7. If the hinge had an increased thickness as presently claimed, panel 11 would not exert a force against lip 8, and cup 7 would then be prone to unintentional removal from (e.g., falling out of) greeting card 1. Even if Boone was deemed by the Examiner not to teach away from the unnumbered hinge having a greater thickness than the opposing hinge, Boone does not teach or suggest the hinges comprising an elongated opening extending through one of the sheets such that the other sheet connects two panels, one opening having a thickness greater than the other opening.

Grimsley discloses a travel kit 10 that includes three panels 12, 14, and 16. A fold line 18 is disposed between panels 12 and 14 to accommodate folding there-about. A second fold line 20 is disposed between panels 12 and 16 that is larger in its transverse dimension than fold line 18 in order to accommodate additional expansion. For instance, travel kit 10 includes an insert 24 that comprises additional pages that would need to be accommodated by fold line 20 (See Fig. 7). Furthermore, a plurality of pockets 33-35 is included on the inner surface of panel 14 for the storage of various items 36-40. An additional pocket 42 is formed in the inner surface of panel 12 for the storage of additional items (See Fig. 2). In order to accommodate the varying thickness of insert 24 and pockets 33-35 and 42, fold line 20 is an accordion-like

structure that has a variable thickness (See Col. 4, lines 16-22). Applicant asserts that Boone teaches away from Grimsley's variable thickness hinge for reasons noted above. Moreover, Grimsley fails to teach or suggest hinges that comprise an elongated opening extending through one of the sheets such that the other sheet connects two panels, one opening having a thickness greater than the other opening. Applicant further asserts that one skilled in the art would not look to travel kits when designing a greeting card of the type disclosed in Boone.

Wood discloses portable display device having a center panel 12 attached to a pair of side panels 14 via hinges 16. Each panel comprises a base portion 18 and a display surface 20. Each base portion 18 comprises a first and second corrugated section 22 and 24 separated by a rigid surface 26. The corrugated sections 22 and 24 each comprise an outer surface 28 and an inner portion 30 (See Col. 3, lines 16-24; Fig. 2). The hinges are formed from cut lines 34 extending through the outer rigid surface 38 of section 24, both inner portions 30 and surface 26. Accordingly, the outer surface 28 of section 22 and surface 20 form the hinges 16 along the cut lines 34. No teaching or suggestion exists in Wood to form the cut lines 34 of variable thicknesses to create one hinge having a thickness greater than the other hinge. Furthermore, panels 14 are folded about center panel 12 in a direction towards surface 20, not in a direction towards the opening formed by cut lines 34. Accordingly no teaching or suggestion exists in Wood to form cut lines that enable the panels to be closed about the openings in the cut lines as recited in claim 1. As a result, the hinges of Wood would be unsuitable to accommodate the memento, as recited in claim 1.

Grimsley is not properly combinable with Wood for the purposes of designing a hinge because each reference teaches away from each other. Specifically, Grimsley teaches hinges of variable thickness for the purposes of folding side panels in the direction of the opening formed by the hinges, while Wood teaches hinges for the purposes of folding the side panels in the opposite direction. Moreover, even if Grimsley and Wood were combined, no teaching or suggestion exists in either reference to form variable thickness hinges by creating variable-thickness openings in a multi-layered panel in the manner recited in claim 1. The only teaching in the prior art for providing hinges of different thickness is found in Grimsley, which teaches an accordion-like fold line 20 structure.

The present invention thus overcomes a different problem than that addressed by the prior art. For instance, while Boone is focused on using one of the panels to retain the cup 7 in the card 1 until the user wishes to remove the cup, aspects of the present invention includes a housing 24 that carries a memento 50 extending through one of the panels. While such a memento is known generally in the prior art, the present invention provides a card that includes

a pair of side panels constructed specifically for the purpose of accommodating the memento without detracting from the accessibility of the memento.

It should be appreciated that Applicant is not limiting the present invention to a memento of the type described in the specification, but rather is simply identifying that the present invention solves a problem different from that addressed by the prior art. In particular, the present invention (instead of solving the problem of using panels 14 and 16 to retain the memento housing 24 as recited in Boone) avoids interference between panels 14 and 16 when the card is closed (the interference was found to be advantageous in Boone). The present invention solves the problem by providing a hinge 15 that has a thickness greater than the thickness of the opposing hinge 13 in order to accommodate 1) the thickness of panel 14 and 2) the clearance between panel 14 and the slightly raised surface of the memento (or housing 24 that carries the memento 50). The thicknesses of the openings of the hinges are significant in the present invention because they allow the side panels to be closed in the direction of the openings such that the openings space the side panels from the front panel to accommodate the memento (as opposed to 1) Wood, which teaches that the side panels are closed in the direction of the portion of the card that connects the two panels, as opposed to the opening formed by cut line 34; and 2) Boone, which discloses that the side panels retain the housing in place).

Accordingly, Applicant asserts that the invention recited in claim 1 is not taught or suggested by the cited prior art, and further presents advantages not attainable by the prior art. Accordingly, withdrawal of the rejection under 35 USC 103 of independent claim 1 and corresponding dependent claims 2-4 and 8 is respectfully requested.

B. Claims 5-6

Dependent claims 5 and 6 are rejected under 35 USC 103(a) as being unpatentable over Boone in view of Grimsley, and further in view of Wood. Applicant cites the patentability of corresponding independent claim 1 as providing sufficient basis for the allowance of dependent claim 5. Claim 6 has been cancelled.

C. Claim 7

Dependent claim 7 is rejected under 35 USC 103(a) as being unpatentable over Boone in view of Grimsley, and further in view of Wood and Ivicic. Applicant cites the patentability of corresponding independent claim 1 as providing sufficient basis for the allowance of dependent claim 7.

V. New Claims

Applicant has added new claim 17 that depends from claim 6 and claim 18 that depends from claim 17. Claims 17 and 18 recite that the second and first hinges, respectively, are elongated. Claim 6 recites that the first laminated sheet and the third sheet are cut into the three panels, and the second laminated sheet is continuous to form the first and second hinges at locations between the three panels. The Office Action cited Wood as providing a cut in first and third sheets to form hinges. However, in Wood, the cut-out hinges are clearly not elongated. Furthermore, no other cited reference teaches or suggests the elongated hinges recited in claims 17 and 18. Formal allowance of claims 17 and 18 is therefore respectfully requested.

Applicant has further added new claim 19, which recites that the second and third panels fold over the openings of the first and second hinges. As discussed above with reference to claim 1, none of the cited prior art references teaches or suggests this claim limitation. Formal allowance of claim 19 is therefore respectfully requested.

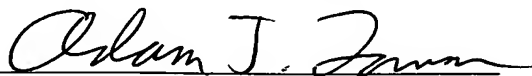
VI. Conclusion

Applicant therefore respectfully asserts that all rejections and objections cited by the Examiner have been overcome. Accordingly, the application is in condition for allowance, and a Notice of Allowance is earnestly solicited. The Examiner is invited to contact the undersigned at the telephone number appearing below if such would advance the prosecution of this application.

The Commissioner is hereby authorized to deduct the \$510 fee for a three-month extension of time, along with any additional fees arising as a result of this Amendment or any other communication, from Deposit Account No. 17-0055.

Respectfully submitted,

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